



LEGISLATIVE FISCAL OFFICE  
Fiscal Note

Fiscal Note On: **HB 72** HLS 13RS 138  
Bill Text Version: **ORIGINAL**  
Opp. Chamb. Action:  
  
Proposed Amd.:  
Sub. Bill For.:

|   |                                   |
|---|-----------------------------------|
| <b>Date:</b> April 18, 2013 8:10 AM                               | <b>Author:</b> HENSGENS           |
| <b>Dept./Agy.:</b> Department of Public Safety/Sheriffs, etc.     |                                   |
| <b>Subject:</b> Provides with respect to impoundment of livestock | <b>Analyst:</b> Alan M. Boxberger |

ANIMALS/CATTLE OR INCREASE LF EX See Note Page 1 of 1  
Provides with respect to the impoundment of livestock found at large

Present law requires the deputy secretary of the Department of Public Safety and Corrections, and allows sheriffs, deputy sheriffs, constables and justices of the peace to take custody and impound any livestock found roaming at large upon certain state highways. Provides that the impounding officer immediately notify the deputy secretary of the department or the authorized representative in the parish in which the livestock was impounded. Allows the owner of impounded livestock to secure upon payment of \$20 per head and the cost of feeding and caring for such livestock at a rate of \$2/day. Proposed law requires all entities listed above to take custody and impound livestock and adds marshals to the list; increases the daily cost of feeding and caring for such livestock to \$6/day. Proposed law allows local governing authorities to adopt an ordinance directing certain law enforcement entities to capture and impound livestock found at large within the parish taken and increases the cost of feeding and caring for such livestock to \$6/day.

| EXPENDITURES   | 2013-14   | 2014-15   | 2015-16   | 2016-17   | 2017-18   | 5 -YEAR TOTAL |
|----------------|-----------|-----------|-----------|-----------|-----------|---------------|
| State Gen. Fd. | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW |               |
| Agy. Self-Gen. | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW |               |
| Ded./Other     | \$0       | \$0       | \$0       | \$0       | \$0       | \$0           |
| Federal Funds  | \$0       | \$0       | \$0       | \$0       | \$0       | \$0           |
| Local Funds    | INCREASE  | INCREASE  | INCREASE  | INCREASE  | INCREASE  |               |
| Annual Total   |           |           |           |           |           |               |

| REVENUES       | 2013-14   | 2014-15   | 2015-16   | 2016-17   | 2017-18   | 5 -YEAR TOTAL |
|----------------|-----------|-----------|-----------|-----------|-----------|---------------|
| State Gen. Fd. | \$0       | \$0       | \$0       | \$0       | \$0       | \$0           |
| Agy. Self-Gen. | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW |               |
| Ded./Other     | \$0       | \$0       | \$0       | \$0       | \$0       | \$0           |
| Federal Funds  | \$0       | \$0       | \$0       | \$0       | \$0       | \$0           |
| Local Funds    | INCREASE  | INCREASE  | INCREASE  | INCREASE  | INCREASE  |               |
| Annual Total   |           |           |           |           |           |               |

EXPENDITURE EXPLANATION

Proposed law changes from permissive to mandatory that certain law enforcement entities shall take into custody and impound any livestock found at large upon certain highways of the state as enumerated in R.S. 3:2803, and requires that these livestock be impounded in the nearest official state police impoundment area. Present law requires the deputy secretary of the Office of Public Safety and Corrections to impound livestock discovered, but the Department of Public Safety does not currently impound livestock due to a lack of fiscal resources.

Proposed law may result in a significant, but indeterminable increase in local funds expenditures. Each law enforcement entity in the state would be required to acquire significant equipment (potentially including items such as vehicles, trailers, all terrain vehicles or horses, etc.) and provide training to individuals to allow the effective and safe capture of discovered livestock. Due to the lack of impoundment and current operating facilities at the state level, it is unclear where law enforcement entities would transport the livestock. It is possible the expenditure outlay could be reduced through contracting with individuals or companies at the local level to provide capture and impoundment as an on-call service. The LFO is unable to speculate as to the total expenditure levels required under this provision as each law enforcement entity may utilize difference approaches to enforcement.

Proposed law provides if the local governing authority adopts an ordinance under enacted provisions that certain law enforcement entities shall be responsible for the capture and impoundment of livestock found on any public highway in the state where livestock is prohibited from roaming at large. Livestock impounded under this provision are to be secured within the parish taken. This provision of proposed law would result in a significant, but indeterminable increase in local funds expenditures. Parishes choosing to enact such ordinances would require acquisition of equipment as above and also necessary facilities and services associated with impoundment. It is possible the expenditure outlay could be reduced through contracting with individuals or companies at the local level to provide capture and impoundment as an on-call service. The LFO is unable to speculate as to the total expenditure levels required under this provision as each parish may utilize different approaches and provide for different levels of enforcement.

To the extent that proposed law elicits enforcement of livestock impoundment by DPS, and to the extent that impound fees are insufficient to support these functions, additional SGF resources may be required.

REVENUE EXPLANATION

Proposed law increases allowable charges for care and feeding of impounded livestock from \$2 to \$6 per day. As DPS does not currently impound livestock, any enforcement of the proposed law would result in an increase in SGR for DPS associated with livestock found on certain highways as enumerated in R.S. 3:2803 or an increase in local funds for livestock found on prohibited highway rights-of-way as determined and enforced by local ordinance. Existing law allows a \$20 per head charge for state-impounded livestock; initiation of enforcement would result in an indeterminable increase of SGR for DPS.

|  |                     |  |                                  |
|--|---------------------|--|----------------------------------|
| Senate   | Dual Referral Rules | House  |                                  |
| <input checked="" type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} |                     | <input type="checkbox"/> 6.8(F) >= \$500,000 Annual Fiscal Cost {S}                        | <i>Evan Brasseaux</i>            |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}      |                     | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} | Evan Brasseaux<br>Staff Director |